IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

CRP.No. 610 of 2002()

CMA.2/2001 of ADDL.SUB COURT, ALAPPUZHA
IA.NO.755/2001 IN OS.535/1998 of PRINCIPAL MUNSIFF,ALAPPUZHA

REVN. PETITIONER: REVN. PETITIONER/APPELLANT/PETITIONR:

G. RAMACHANDRAN, S/O. GOVINDA PANICKER,
AGED 57 YEARS, RESIDING IN MUNDUPARAMBIL,
AMICHANKARIMURI, CHAMPAKULAM VILLAGE.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.P.J.JOSEPH
SRI.GEORGE MATHEW

RESPONDENTS: RESPONDENTS/COUNTER PETITIONRS/DEFENDANTS;

1. M.V. THOMAS, S/O. VAKKEN,
AGED ABOUT 44 YEARS, AMICHANKARI MURI,
CHAMPAKULAM VILLAGE, NOW RESIDING IN
NANDIKADU, CHAYYAKULAM.

2. SUNNYCHAN, S/O. K.T. ANTONY,
KOOLIPURACKAL VEEDU, AMICHANKARI MURI,
CHAMPAKULAM VILLAGE.

3. MATHEW, S/O. JOSEPH, PUTHENPARAMBIL,
AMICHANKARI MURI, CHAMPAKULAM VILLAGE.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CMP.NO.1596/2002 IN CRP.NO.610/2002

Dismissed

11/7/2007 Sd/- P.R.RAMAN, JUDGE.

P.R.RAMAN J.

C.R.P.No.610 OF 2002

Dated this the 11th day of July, 2007

O R D E R

This revision is filed against an order dismissing the application for restoration of the suit dismissed for default. Against the said order an appeal was preferred. That appeal was also dismissed. In view of the proviso to Section 115 of the Code of Civil Procedure and the decision of the Apex Court, it has to be held that the C.R.P. is not maintainable, as the bar under the proviso applies.

C.R.P. is dismissed.

P.R.RAMAN,
Judge.

kcv.